

# MEDICAL PRACTITIONERS AND UNQUALIFIED MIDWIVES

## CORRESPONDENCE WITH REGISTRAR OF SOUTH AFRICAN MEDICAL AND DENTAL COUNCIL

Correspondence on the question of Medical Practitioners availing themselves of the services of unqualified midwives which has been exchanged between the Editor of the *Journal* and the Registrar of the South African Medical and Dental Council is published below.

On 10 November 1954, the Editor wrote to the Registrar:

'We published in the *Journal*<sup>1</sup> a report of the meeting of the South African Medical and Dental Council which was held on 20-23 September 1954. Dr. Lance Impey has spoken to me about the following item on page 875 of the *Journal* printed under the heading "Council Decisions": "*Unqualified Midwife*. There is no objection to a medical practitioner availing himself of the services of an unqualified midwife". Dr. Impey says that there should have been added some such words as "if no qualified midwife is available". Will you kindly let me know whether this is so? It might be possible to insert a note in the *Journal* to that effect.

'May I mention some points of view that occur to me? In the first place, it is not illegal for an unregistered midwife to practise midwifery (except in the few "prescribed areas" within the meaning of the Medical Dental and Pharmacy Act) provided her name has been entered on the list kept by the local authority for this purpose (under the Public Health Act). If an unregistered midwife practising under these conditions calls in a doctor to a patient in emergency, I suppose the doctor is acting legally and ethically in answering the call.

'Another point is this: Is there anything illegal in an unregistered woman, whether she is accustomed to practise as a midwife or not, acting as a maternity nurse (whether in a "prescribed area" or not) in a midwifery case attended by a doctor? I imagine not, for the reason that she is not acting as a midwife; and I imagine therefore that such an association does not imply any illegal or unethical action on the part of the doctor.'

On 17 November the Registrar acknowledged the above letter and added 'I shall place your letter before the Executive Committee of the Council for its consideration and I shall communicate with you again at a later date'.

On 21 December 1954 the Registrar wrote as follows:

'I placed your letter of the 10th ultimo in regard to medical

practitioners availing themselves of services of untrained midwives in areas where trained midwives are available, before the Executive Committee of the Council at its last meeting.

'The Executive Committee has resolved to refer the whole matter to the South African Nursing Council for their comments. This is now being done and I shall communicate with you again at a later date.'

On 25 April 1955 the Acting Registrar wrote as follows:

'Further to my letter of 21 December 1954, which was in reply to your letter of 10 November 1954, which had reference to a medical practitioner availing himself of the services of an untrained midwife in an area where a trained midwife was available, I have to advise that the Executive Committee gave further consideration to the matter at its most recent meeting; it also received advice in the matter from the South African Nursing Council.

'I have now been directed to advise you that the Committee desires to draw attention to the following ruling given by the Council some time ago, which related more particularly to auxiliary personnel for which the Council maintains registers:

''That the Council had endeavoured for years to establish a compulsory register for all classes of persons who were concerned with the treatment of the public, and until such legislation was introduced, it was impossible for the Council to compel medical men to make use of the services of registered auxiliary personnel only, though in the opinion of the Council it was most desirable.' Until such further enabling legislation was introduced, the Council was incapable of giving to the profession any other ruling in regard to the matter as it had already done to the best of its ability.

''The Committee further resolved that it be pointed out that when a medical practitioner referred a patient to an auxiliary, he assumed a certain responsibility while the patient remained his patient.'

'In the opinion of the Executive Committee, the above ruling applies equally to midwives, even though midwives are not auxiliaries registrable with this Council.

'I shall be pleased to be of further assistance to you at any time in the future.'